LA REINE HINDOO TAKES FEATURE

brand, 122 (Rowe), 29 to 1, second Green Lawn, 114 (Yorke), 8 to 5, third.

Third race-four-year-olds, six and a haif furlongs, selling—Jack Baker, 107 (Burton), 2 to 5, first; Tallow Dip. 194 (McFadden), 2 to 1, second; Vir-ginia Maid, 106 (Korner), 4 to 1, third.

Time, 1:11.

Fourth race—three-year-olds and up, seven furlongs, selling—La Reine Hindoo, 112 (Franklin, 6 to 5, first; Colonel Ashmead, 92 (Burton), 6 to 1, second; Autumn Girl, 95 (Steinhardt), 5 to 1, third. Time, 1,30 3-5, Fifth race—four-year-olds and up, seven furlongs, selling—Harting, 107

Fifth race—four-year-olds and up, seven furiongs, selling—Harting, 107 (Frankon), even, first; Ben Howe, 107 (Kohn), even, second; Nebulos, 107 (Reilly), 3½ to 1, third. Time, 1:31 2-5. Sixth race—four-year-olds and up, one mile and seventy yards, selling—Sir Walter Rollins, 111 (Korner), 7 to 10, first; Lord Dixon, 111 (Upton), 8 to 5, second; Necha, 108 (Reilly), 3 to 1, third. Time, 1:52.

made after the original recipe in Spain: Pimental Sauce, can

Packed in glass jars to keep well.

Shipping orders solicited.

WHAT'S THE USE

To worry about things to eat, when everything you may want,

besides numberless suggestions, can be had by visiting the Schmidt Store. Perhaps it will repay you to try this plan—

Sparkling Italian Burgundy Bottled by the firm of Bosco & Co., TORINO, whose reputation is well established for the superior quality of their wine, at the almost unheard

Almost everything recognized as a good eater can be found among the most elaborate and extensive display at this counter. The prasieworthy merits of the following commend suggesting:

Norway Smoked Herrings, cans. 20c
French Chicken Mackerel, cans 40c
Norway Aprianti Caviar, cans 20c

Spanish Omelets One of the newest additions to stock is the filling for Spanish Omelets,

Do Not Forget

Remember, you do not pay a middleman's profit-you get that.

Just a Word About Olives

Hermann Schmidt,

504-508 E. BROAD STREET.

Queen, mammoth, per quart

Write for catalogue, "Schmidt Quarterly."

We have received an importation of select Queen Olives at greatly re-

Delicatessen Department



Jeweler and Optician, Seventh and Main Sts. Accounts opened with reliable

Second; Autumn Girl, 95 (Neinhardt), 5 to 1, third. Time, 129 3.5,

Fifth race—four-year-olds and up, seven furiongs, selling—Hartins, 107 (Frankon), even first; Ben Howe, 107 (Reilly), 245 to 1, third. Time, 108, 105, 8 csond and seventy yards, selling—Sir Waiter Rollins, 111 (Korner), 7 to 5, 5, 5 csond; Necha, 108 (Reilly), 3 to 1, third. Time, 152.

Gond Things Put Over.

Gond Things Put Over.

Jacksonyllle, Plas, February 14.—Several good things were put over at Moneriet Park this afternoon, among them Mrs. Livingston's Statoarder, 77. Three were only two winning favorites. As a result of misunderstanding with Manager Brown, L.F. Carman, the New Manager Brown, L.F. Carman, the New Rown, L.F. Carman, the New R

Bijou-"In Africa." Yorke and Adams, well and favora-

AMUSEMENTS.

Comes Home Nose in Front of Colonel Ashmead and Makes New Record.

Tampa, Fla., February 14.—La Reine Hindoo won the feature event, the handleap, to-day at seven furlongs, a nose in front of Colonel Ashmead, the latter being disqualified for interfering with Autumn Girl. La Reine Hindoo hung up a new track record Summaries:

First race—maiden two-year-olds, about three furlongs—Itose MeGee, 107 (Franklin), 1 to 2, first; Gold Fish, 102 (Steinhardt), 4 to 1, second; Orelia, 102 (Burton), 15 to 1, third. Time, 135 2-5. Second race—three-year-olds and up, five furlongs, selling—Belle of the Tribe, 112 (Irvin), 12 to 2, first; Firebrand, 122 (Rowe), 20 to 1, second;

Development agency and favorably known to Richmond theatre-goers, Yorke and Adams, well and favorably known to Richmond theatre-goers, Yorke and Adams, well and favorably known to Richmond theatre-goers, began their engagement at the Bljou last inglification by known to Richmond theatre-goers, began their engagement at the Bljou head to greet the popular comedians, with one of the new musical comedy. The usual first night crowd was on hand to greet the popular comedians, with proved to be about asc lever as they could possibly be and their company of the Blood to be about asc lever as they could possibly be and their company of the Broad Street playlouse. The chorus was far above the average, being not only good to look upon, but about the best trained aggregation that has been here this season. The detailed mention of all good members of the company would be a long task. Suffect to say that it was well up to the high mark aimed at by the management and that its efforts were high yapreclated by the usual Monday last crowd.

J. S. JAMES

J. S. JAMES

Jeweler and Optician,

C. V. L. L. L. Reine Hindoo start in get the popular comedians, because the mark to great the popular comedians, well and favorably known to Richmont the theory as the list in the new musical comedy. The new all first night to with the sucular first night to with the sucular first nig

Glass-Yoder Letters

(Continued From Third Page.) for its author, as any matter brought to our house is printed, in the usual course of business, and the manage-ment had no knowledge of its contents.

ment had no knowledge of its contents.

(2) Had we known that the pamphlet contained statements offensive to you or to others of our worthy citizens we would have declined to print it.

(3) As soon as the character of its contents became known to us we stopped the printing, and none of the pamphlets was sold or put in circulation by us.



Grand Special This Week!

\$7.50 Solid Gold "Shur-On" Eye Glasses And The Turick Invisible Bifocals For

Only \$2.50



Dr. Vineberg Will Examine Your Eyes Free!

This unusual and altogether wonderful offer is extended to you in order to direct the attention of the public to our Optical Department, which we have fully determined to make a permanent fixture of our growing business.

bhis means that you are dealing with a Richmond Optical Departement that you can easily locate and communicate with at any time you wish. It is in charge of Dr. Vineberg, specialist in his line of recognized and widely known efficiency. He is well known to thousands of Virginians and has examined the eyes of many of the state's representative citizens, fitting glasses that have given the best of satisfaction in every instance. These enthusiastic people have given warm testimonials as to his work and the glasses furnished.

Dr. Vineberg has handsomely fitted private offices in our store, and will treat you without delay or inconvenience. And what is far more important to you, he will deal honestly and fairly with you in every instance. If you do not need glasses he will say so in the plain-

Cordials

They were made in the good old natural way.

Frank Miller

Importer of Choice Wines, Whiskies, Bran-dies and Cordials,

1204 East Main Street. Phone Monroe 439.

The Sensation!

Blue Mouse

Long Filler Hand-Made

Cigars

Mail orders a specialty.

BLUE

House

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Genuine \$5.00 Eye-

Glasses. Guaranteed 20 years. Examina-

For Only \$1 H. COHEN,

— JEWELER — 707 East Main Street, :: Richmond, Va.

A full line of Artificial Human Eyes and Ear Phones of best makes. Dr. Vineberg is a specialist in deafness and seldom fails to cure. Examination free.

BURDEN OF PROOF ON MAN MAKING CHARGE

Judge Harrison Instructs Jury That if It Believed Yoder Maliciously Published Article, Then He Is Guilty of Libel.

Judge Harrison gave the following the accused published the article set istructions to the jury in the Yoder out in the warrant, that the same was malicious, that the language used therein, either expressly or by insinuation, is such as exposes John J. Crutch-

The court instructs the jury—(1) The accused is charged with a criminal offence, and cannot be convicted until every material fact constituting the crime with which he stands charged is proved beyond a reasonable doubt, and if the jury have a reasonable doubt and acquired to provoke violence and breach of the peace, then the accused is guilty as charged.

If the jury helleve beyond a reasonable doubt that the accused mails the peace of the peace o

VERNUELLE IS RELEASED. A Last Year's Player Will Not Be with

A Last Year's Player Will Not Be with Lynchburg This Season.

[Special to The Times-Dispatch.] Lynchburg, Va., February 14.—President McLaughlin, of the local baseball association, announced this afternoon that he had given Lee Vernuelle his release and that Vernuelle would not be with the Shoemakers this spring. Vernuelle, it will be recalled, was purchased by the Lynchburg team in the close of the 1908 season, and he was with the team last year.

with the team last year.

President McLaughlin says Vernuclle would not have been let go this early, but there are evidences that ha will not be needed for the team this year, and it was not desired to hold him until it would be too late for him to secure a berth for this season.

WILL STICK TO 154 GAMES.

American League Will Not Change Length of Playing Senson.
Chicago, February 11.—The American League will adopt a 154 game schedule at its meeting, which begins here to-morrow, regardless of the action of the National League in New York, accor...ng to a statement made by President Bowson to-day. "We will stick to the old length of the schedule during 1910," said Mr. Johnson. We will adopt 154 games, whether the National League in New York decides upon 154 or 168 games."

The American League meeting will begin to-morrow, but the schedule will not be adopted until Wednesday. The principal business to come before the meeting to-morrow will be the adoption of the new ten-year agreement. The program under which the American League exists will expire in November of this year. The American League was in existence at the beginning of 1900, but the agreement was not adopted until June, later in the year. Apparently there will be no objections to the continuance of the circuit for another decade, as all the clubs are well satisfied with present conditions.

Will Adopt 180-Game Schedule, New York, February 14.—The Amer-ican Association will adopt a 180 game schedule to-morrow evening. The sea-son will probably open on April 18, and close about September 26. The dates of the opening and closing, and the leangth of the season, were de-cided at a meeting in December.

Committee Had No Quorum.

The Committee on Water, which was to have met last night, falled to get a quorum-Another call was issued by the shairman for 2 meeting at noon to-day.

PROOF ON
ING CHARGE

Is Jury That if It Believed

It believed the article set out in the warrant of and the article set out in the warrant of and concerning the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set on the property of the sale charges are false, then the accused published the article set of the community have and therein effect expressly of by instruction and the property of the propertion of the property of the propert

Under our free Institutions and according to the Constitution and laws of our State, and the principles and practice which we have inherited, the administration of our municipal affairs and the official acts of public officers, and the trials had in our courts, are matters of public concern. Any citizen has the right freely, fully, openly and publicly, in print or otherwise, to ascuss the same. All publications therefore in regard to these matters, even though imputing moral delinquency and crime to public officers in the discharge of their duties are to be treated as if made on a privileged occasion, and the court instructs the jury that the publication of the article in the warrant set forth must be treated as if published on a privileged occasion.

But the court further instructs the

privileged occasion.

But the court further instructs the jury that liberty is not license, and that it has never been the policy of our law to permit the inestimable privilege of free speech and public discussion to be perverted into an engine of malice or of unbridded scurrility. Such privilege is only qualified and condition—: it is to be used honestly and in good faith for the furtherance of worthy purposes, but if made a cloak for malice, then the privilege is forfeited.

The only difference between

cloak for malice, then the privilege is forfeited.

The only difference between a publication made on a privileged occasion and one on an occasion not privileged, is the degree of proof of malice required. Where the publication is made on an occasion not privileged, then the law implies malice from the publication of the libelous matter itself, but when made on a privileged occasion the law makes no such implication, and proof of actual malice is required. If, therefore, the accused malciously published the article in question, and the same was libelous under the other instructions, he is mone the less guilty, even though the occasion is considered privileged in law.

Criticizing Officials.

7. The court instructs the jury that

Criticizing Officials.

7. The court instructs the jury that the conduct of public officials is open to public eriticism, and it is for the interest of society that their acts may be fully published, with fitting comments or strictures, and that whoeverfills a public office renders himself open to public discussion, and if any of his acts are wrong he must accept the attack as a necessary, though unpleasant, circumstance, attaching to his position. The public of Richmond have a right to know how their public affairs are being conducted and how the duttes of their officers are being performed, and it is one of the privileges of the newspapers to give this information, and if the supposed libelous article was circulated for the BIJOU-ALL WEEK YORKE and ADAMS AND AN EXCELLENT SUPPORTING COMPANY OF 50 PEOPLE, "IN AFRICA" Next Week-"The Sunnyside of Broadway."

Proof of Mailce.

11. Proof of malice being a mental operation is often to be established by circumstance alone, and to that end the jury should consider all the evidence in the case. They may consider any publication prior or subsequent to the date of the article in the warrant set forth, and may infer malice from the repetition of the said charges after the same were denied and opportunity afforded to make proper investigation. They may also consider in this connection the article itself, its tone and style, the language used therein. If the language used therein. If the language is strong and violent and dispreportioned to the occasion, an inference of malice the charges that are made again three of the officials mamed, and to the occasion, an inference of malice purpose, (15) If the jury find the a guilty, they may assect they may assect the intervent by imposing on him a fine prisonment in jail, or both; by fine cangot be less than \$5. at all the canges there are the intervent and imprisonment is so excessive as to violate the cunsual punishment.

(16) The court instructs the that, in order for the accused the charges that are made again three of the officials mamed, and content purpose,

(15) If the jury find the a guilty, they may assect they may assect the intervent by imposing on him a fine prisonment in jail, or both; by fine cangot be less than \$5. at an intervent by imposing on him a fine prisonment in jail, or both; by fine cangot be less than \$5. at an intervent by imposing on him a fine prisonment in jail, or both; by fine cangot be less than \$5. at an intervent by imposing on him a fine cangot be less than \$5. at an intervent by imposing on him a fine cangot be less than \$5. at an intervent by imposing on him a fine million that cangot be less than \$5. at an intervent by imposing on him a fine million that purpose.

(16) If the jury find the a guilty, they may assect the hy may assect the intervent by imposing on him an increase purpose.

(16) If the jury find the a guilty, they may assect they



THE OLD SPRINGS DISTILLING CO., CINCINNATTI, OHIO.

